

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

C.H. by and through next friend,	)	
SONYA MARIE HUNT,	)	
	)	
Plaintiff,	)	
v.	)	Case No. 4:21-cv-00443-SEP
	)	
PATTONVILLE SCHOOL DISTRICT,	)	
et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

On January 10, 2025, this Court entered an Order giving Plaintiff 30 days to file an amended complaint. *See* Doc. [76]. The Order stated that, if Plaintiff failed to file an amended complaint with himself as the properly named Plaintiff within that time frame, “this action will be dismissed without prejudice.” *Id.* at 5. Because Plaintiff still has not filed an amended complaint despite the Court’s clear instructions, the Court will dismiss this action. *See Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (explaining a district court has the power “to dismiss an action for the plaintiff’s failure to comply with any court order”).

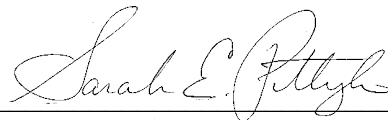
Accordingly,

**IT IS HEREBY ORDERED** that this case is **DISMISSED** without prejudice.

**IT IS FURTHER ORDERED** that the Motion to Appoint Counsel, Doc. [77], is

**DENIED** as moot.<sup>1</sup>

Dated this 19<sup>th</sup> day of March, 2025.



SARAH E. PITLYK  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Instead of filing an amended complaint, Plaintiff moved for appointment of counsel. *See* Doc. [77]. As the Court has explained to Plaintiff, a pro se litigant in a civil case does not have a constitutional or statutory right to appointed counsel. *Id.* at 2; *see Ward v. Smith*, 721 F.3d 940, 942 (8th Cir. 2013). Still, because Plaintiff was a minor for most of the pendency of this lawsuit, the Court has appointed six attorneys to represent Plaintiff’s interests in the past. *See* Docs. [11], [14], [24], [45], [49], [64]. None has been able to work successfully with Plaintiff and his family to get an amended complaint on file. Almost four years into the lawsuit, no Defendant has been served. Over those four years, Plaintiff has been granted 13 extensions of time to file an amended complaint, yet none has been filed. *See* Docs. [16], [18], [20], [26], [31], [34], [40], [52], [55], [57], [59], [62], [67]. The Court thus has ample evidence that appointing Plaintiff another attorney would not have prevented dismissal of this lawsuit.